




J. Craig Whitley
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

IN RE:

GREGORY S. BALLARD
PROPERTIES, LLC,

Debtor,

Case No. 10-30367
Chapter 11

GREGORY S. BALLARD
PROPERTIES, LLC,

Plaintiff,

vs.

JPMORGAN CHASE BANK, N.A.,

Defendant.

Adversary Proceeding No. 16-03301

CONSENT AMENDED INITIAL PRE-TRIAL ORDER

This matter is before the Court for the entry of a Consent Amended Initial Pre-Trial Order submitted by the parties pursuant to paragraph 5 of the Court's Initial Pre-Trial Order [Doc. 39]. Counsel for the parties have conferred pursuant to the Initial Pre-Trial Order and have submitted the following Consent Order, which the Court finds should be entered.

A. Discovery

1. All discovery shall be commenced or served in time to be completed by **October 16, 2017**. Discovery requests that seek responses or schedule depositions after the deadline for the completion of discovery will not be enforceable except by Order of the Court for good cause shown. The parties may consent to extensions of this discovery completion deadline so long as any such extensions expire no later than 14 days before the scheduled time for trial.
2. The parties shall serve the initial disclosures described in Fed. R. Civ. P. 26(a)(1) by **May 31, 2017**.
3. Each party may serve no more than 25 interrogatories, may serve no more than 50 requests for production, may serve no more than 25 requests for admissions, and may take no more than 5 depositions. This limit on depositions shall not, however, apply to depositions of expert witnesses.
4. No later than **August 2, 2017**, Plaintiff shall serve on Defendant any expert-witness disclosures and reports described by Fed. R. Civ. P. 26(a)(2).
5. No later than **September 18, 2017**, Defendants shall serve on Plaintiffs any expert-witness disclosures and reports described by Fed. R. Civ. P. 26(a)(2).
6. Documents generated after the date that this adversary proceeding was filed that are protected from disclosure by Fed. R. Civ. P. 26(b)(3), the work-product doctrine, or the attorney-client privilege do not need to be identified in a Fed. R. Civ. P. 26(b)(5) privilege log in order to preserve the protection or privilege.

B. Mediation

1. The parties shall participate in a mediation no later than **October 16, 2017**.

C. Dispositive Motions

1. All dispositive and other pretrial motions, except motions in limine and motions to continue, shall be filed no later than **November 15, 2017**.

D. Initial Pre-Trial Order

1. This Order replaces the Initial Pre-Trial Order [Doc. 39] except as otherwise specifically provided in this Order.
2. Paragraphs 5, 6, and 7 of this Court's Initial Pre-Trial Order shall remain in force and effect.

CONSENTED TO BY:

THE HENDERSON LAW FIRM

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Attorneys for Defendant

SO ORDERED.

*This Order has been signed electronically.
The Judge's signature and Court's seal
appear at the top of this Order.*

United States Bankruptcy Court